

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 Martin J. Walsh, Secretary of Labor,
United States Department of Labor,

5 Plaintiff,

6 v.

7 NAB LLC d/b/a NAB NAIL SALON d/b/a
8 NAB NAIL BAR, a Nevada limited liability
9 corporation, ASIA TRINH, an individual and
10 managing agent of the Corporate Defendant,
NICOLE BROWN, an individual and managing
agent of the Corporate Defendant,

11 Defendants.

Case No. 2:21-cv-00984-JAD-VCF

**ORDER SCHEDULING A SETTLEMENT
CONFERENCE**

12 Before the Court is the joint motion requesting settlement conference pursuant to Local Rule 16-
13 5. (ECF No. 35).

14 Accordingly,

15 IT IS ORDERED that the joint motion requesting settlement conference pursuant to Local Rule
16 16-5 (ECF No. 35), is GRANTED.

17 IT IS FURTHER ORDERED that settlement conference will be conducted by **video conference**
18 **at 10:00 a.m., May 1, 2023, before U.S. Magistrate Judge, Cam Ferenbach.**

19 IT IS FURTHER ORDERED that counsel/parties must email chambers at
20 VCF_Chambers@nvd.uscourts.gov, with all email address(es) to be used for the video conference hearing
21 by 4:00 p.m., April 24, 2023.

22 All **principal counsel of record who will be participating in the trial** and who have full authority
23 to settle this case, all parties appearing pro se, if any, and **all individual parties must be present**. In the
24 case of non-individual parties, counsel of record shall arrange for an officer or representative with binding
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1 authority to settle this matter up to the full amount of the claim or most recent demand to be present for
2 the duration of the conference.

3 If any party is subject to coverage by an insurance carrier, then a representative of the insurance
4 carrier with authority to settle this matter up to the full amount of the claim or most recent demand must
5 also be present for the duration of the settlement conference. This representative must be the adjuster
6 primarily responsible for the claim or an officer with supervisory authority over that adjuster. Third party
7 administrators do not qualify.

8 A request for an exception to the above attendance requirements must be filed and served at **least**
9 **three weeks prior** to the settlement conference. Counsel of record, individual parties, and a fully
10 authorized representative must attend the settlement conference unless the court enters an order granting
11 a request for exception.

12 **PREPARATION FOR SETTLEMENT CONFERENCE**

13 In preparation for the settlement conference, the attorneys for each party shall submit a
14 confidential settlement conference statement for the Court's in camera review. The settlement conference
15 statement shall contain the following:

16 1. Identify, by name or status the person(s) with decision-making authority, who, in
17 addition to counsel, will attend the settlement conference as representative(s) of the party, and persons
18 connected with a party opponent (including an insurer representative) whose presence might substantially
19 improve the utility of the settlement conference or the prospects of settlement;

20 2. A brief statement of the nature of the action.

21 3. A concise summary of the evidence that supports your theory of the case, including
22 information which documents your damages claims. Please attach to your statement any documents or
23 exhibits which are relevant to key factual or legal issues, including selected pages from deposition
24 transcripts or responses to other discovery requests.

25 4. An analysis of the key issues involved in the litigation.

1 5. A discussion of the strongest points in your case, both legal and factual, and a frank
2 discussion of the weakest points as well. The Court expects you to present a candid evaluation of the
3 merits of your case.

4 6. A further discussion of the strongest and the weakest points in your opponent's
5 case, but only to the extent that they are more than simply the converse of the weakest and the strongest
6 points in your case.

7 7. The history of settlement discussion, if any, which details the demands and offers
8 which have been made, and the reasons they have been rejected.

9 8. The settlement proposal that you believe would be fair.

10 9. The settlement proposal that you would honestly be willing to make in order to
11 conclude this matter and stop the expense of litigation.

12 The settlement conference statements shall be received in my chambers (U.S. Magistrate Judge
13 Cam Ferenbach, located on the third floor at 333 Las Vegas Boulevard South, Ste. 3005, Las Vegas,
14 Nevada) - not later than **4:00 p.m., April 24, 2023**. **The parties may deliver the confidential statement**
15 **to chambers or statements may be emailed to VCF_Chambers@nvd.uscourts.gov** no later than
16 4:00PM, April 24, 2023.

17 **DO NOT SERVE A COPY ON OPPOSING COUNSEL. DO NOT DELIVER OR MAIL**
18 **COPIES TO THE CLERK'S OFFICE.**

19 The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for and
20 conducting the settlement conference. In order to facilitate a meaningful conference, your utmost candor
21 in responding to all of the above-listed questions is required. **The settlement statement will be seen by**
22 **no one except the undersigned**. If this case does not settle, the settlement conference statement will not
23 be disclosed to the judge who ultimately presides over the trial. Each statement will be securely
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1 maintained in my chambers, and will be destroyed following the conference.

2 DATED this 14th day of March 2023.

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4 CAM FERENBACH
5 UNITED STATES MAGISTRATE JUDGE
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